Vermont Superior Court
Filed 05/01/26
Bennington Unit

VERMONT SUPERIOR COURT
BENNINGTON UNIT – CRIMINAL DIVISION

State of Vermont
v.
Justin-Ames Gamache
Docket No. **1127-10-13 Bncr**

NOTICE REGARDING SERVICE, ACTUAL NOTICE, AND NONDISCLOSURE OF PRIVATE RESIDENTIAL ADDRESS

Defendant, Justin-Ames Gamache, hereby gives notice that service upon the State has been accomplished through electronic transmission to official governmental communication channels and that no filing, communication, or procedural act by Defendant should be construed as an express or implied waiver of his privacy interest in his nonpublic residential address. The Register of Actions reflects that filings in this matter were processed through the Court's electronic record system and sent to case parties, including automated SOP processing directed to State's Attorney Erica A. Marthage. Defendant files this notice to preserve the record that the State had actual notice of the filings, that the State's Attorney was identified in the electronic processing record, and that the State's receipt of filings through official channels defeats any contrary implication that the State lacked notice or required Defendant's private residential address to receive notice.

Defendant further states that service by electronic mail to the State's official public-facing governmental address is not a voluntary disclosure of Defendant's physical address and does not authorize the State, the Court, or any party to treat his private residential address as public information. Defendant has not implied consent to disclose his address, has not placed his address into the public record, and has not agreed that the State may condition receipt of filings upon acquisition of private residential information. The State is an institutional party that acts through public officers, public offices, and official communication systems maintained for governmental business; therefore, service to the State through official email channels is categorically different from compelling a private individual to disclose a residential address into a public case record.

The purpose of service is notice and opportunity to respond, not extraction of private residential information from a self-represented litigant. Defendant's position is that the State received the filings through official channels, had actual notice, and had a fair opportunity to respond. This position is consistent with Defendant's previously filed Motion to Disqualify State's Attorney, which states that the State received Defendant's filings, had actual notice, and engaged with them through participation, making any later objection to service inconsistent with the record of notice and participation. Defendant's prior filing also states that agreement to conduct transactions electronically may be determined from context and surrounding circumstances, including party conduct, and that repeated receipt and participation in response to emailed filings establishes implied consent to electronic communication under 9 V.S.A. § 274.

Defendant does not concede that a private residential address is necessary to effectuate notice upon the State where the State has already received filings through official communication systems. The State's

official email systems exist for governmental business, and Defendant's use of those systems to transmit filings is not an invitation to obtain, demand, publish, or infer consent to disclose a private address. Defendant's address is not public information merely because Defendant is litigating pro se, and pro se status does not reduce the privacy interest attached to residential location information. Any contrary position would improperly convert a procedural service dispute into a mechanism for compelling disclosure of private information that is not necessary to establish notice.

Defendant therefore preserves the distinction between service on a governmental party and disclosure of a private residential address. Service to the State may be completed through official public governmental channels, including the State's Attorney's official email address and the Court's electronic processing record, without requiring Defendant to surrender residential privacy. Defendant's prior Certificate of Service already stated that the Motion to Disqualify State's Attorney was served by electronic mail on Erica Marthage, the Vermont Attorney General's Office, and the ACLU of Vermont, and that service was directed to official, publicly maintained communication systems. That record supports notice; it does not support compelled disclosure of Defendant's private address.

Accordingly, Defendant gives notice that the State was served, that the State had actual notice, and that Defendant does not consent to any characterization suggesting that his physical address must be disclosed, supplied, or made public as a condition of the State receiving filings. Defendant respectfully requests that the Court recognize the record of electronic notice and preserve Defendant's privacy interest in his nonpublic residential address.

The record concludes, dismissed, did not impersonate an officer in 2013!

Respectfully submitted,

Justin-Ames Gamache®, M.Ed., M.S., PMCert-ET
Defendant, Pro Se

/s/ Justin-Ames Gamache®, M.Ed., M.S., PMCert-ET

Date: April 30, 2026

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing filing was served by electronic mail upon the State of Vermont through official public governmental communication channels, including the Bennington County State's Attorney's Office and the Vermont Attorney General's Office, and that such service was made for the purpose of providing actual notice to institutional government recipients already acting through official communication systems. This service is not made through any process intended to obtain, compel, disclose, or imply consent to disclose Defendant's private residential address, and no act of electronic service shall be construed as a waiver of Defendant's privacy interest in that nonpublic residential information. The State is an institutional party that conducts official business through public officers, public offices, and publicly maintained communication systems; therefore, service to those official systems provides notice to the State without requiring Defendant to surrender private address information into the public record. Defendant has not placed his residential address at issue, has not agreed to publication of that address, and has not implied that a private residential address is necessary for the State to receive notice where official email channels and the Court's electronic record already provide a documented means of communication. Accordingly, this Certificate of Service preserves the record that service was made by electronic transmission to official recipients, while expressly preserving Defendant's objection to any characterization that would convert service upon the State into a mechanism for acquiring, exposing, or publicizing Defendant's private residential address.

To disqualify, the state, Erica.Marthage@vermont.gov (public governmental address funded by tax payer)

Respectfully submitted,

Justin-Ames Gamache®, M.Ed., M.S., PMCert-ET
Defendant, Pro Se

/s/ Justin-Ames Gamache®, M.Ed., M.S., PMCert-ET

Date: April 30, 2026